

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Adjourned Meeting
June 11, 2002

6:00 p.m.

Meeting Convened. An Adjourned Meeting of the York County Board of Supervisors was called to order at 6:02 p.m., Tuesday, June 11, 2002, in the East Room, York Hall, by Chairman Donald E. Wiggins.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Thomas G. Shepperd.

Also in attendance were James O. McReynolds, County Administrator; and James E. Barnett, County Attorney.

WORK SESSION

AMENDMENTS TO CHAPTER 10, YORK COUNTY CODE: EROSION AND SEDIMENT CONTROL

Mr. John Hudgins, Director of Environmental and Development Services, reviewed the major changes to the Erosion and Sediment Control Ordinance. He stated they were extensive, but the field operation actually did not change very much. He indicated the County would be formally adopting the State's Erosion and Sedimentation Program. Mr. Hudgins noted the ordinance better defines the terminology of the program, and it removes language that is redundant. Language has been added to better define the department's plan requirements, but no new requirements have been added. The stormwater provisions have been removed because the County is moving toward a stormwater ordinance which is a part of the Phase II requirements. He stated the amended ordinance also aligns penalties, injunctions, and other legal actions with the state law and puts a little more teeth into enforcement.

Discussion followed concerning exceptions contained in the amended ordinance.

Mr. Joe Sisler, Utilities Engineering/Stormwater Division, pointed out a minor error on page 33 of the proposed ordinance. He stated Section 10-27(e) should read "The County Attorney shall, upon request, take legal action to enforce the provisions of this ordinance."

Discussion ensued concerning the proposed amendments, and the staff responded to questions/concerns of the Board members.

By consensus the Board directed that proposed Ordinance No. 02-7(R) be advertised for a July 16 public hearing.

AMENDMENTS TO CHAPTER 18.1, YORK COUNTY CODE: SEWAGE DISPOSAL AND SEWERS

Mr. Hudgins reviewed the proposed changes to proposed Ordinance No. 02-6 as follows:

- ? Adopt the Commonwealth of Virginia State Board of Health Sewage Handling and Disposal Regulations for private sewer systems (Septic Systems) to remove restrictions as to what type of private sewer system is allowed and allows new Health Department approved technologies to be used.
- ? Modify the requirement of Public Sewer Extension Agreements being authorized by the Board of Supervisors in accordance with the State Code so that agreements with fewer than three connections can be approved administratively.
- ? Allow developers to pay the sanitary sewer connection fees in accordance with their planned phasing and eliminate the option for Developers to be able to pay the sanitary sewer connection fees in 25 percent increments.
- ? Extend the time from 90 days to 120 days that property owners have to physically connect to the sanitary sewer system upon receiving the "Notice of Construction Completion."
- ? Eliminate the requirement for owners of undeveloped land in a County Extension Project to pay the initial connection fee for each lot that may be developed in the future within 90 days of the "Notice of Construction Completion".
- ? Reduce the time frame from 90 days to 30 days that developers/builders may obtain a building permit prior to the sanitary sewer facilities being completed and accepted by the County.
- ? Allow property owners in County Sanitary Sewer Extension projects to be able to obtain building permits within 180 days of the sanitary sewer facilities being completed and accepted by the County.
- ? Improved properties (homes) that have paid or will pay the sanitary sewer connection fee that are not required to connect to the sanitary sewer facilities of the County and are not physically connected will be billed as nonusers just as vacant property owners.
- ? Allow homeowners to prepay utility connection fees at current connection fee price if extension project is included in the Utilities Strategic Capital Plan.

Discussion followed regarding the amendment to reduce the time frame for developers to obtain a building permit prior to the sewer facilities being completed from 90 to 30 days, as well as the need for a increase in the fees.

Mr. Brian Woodward, Chief of Utilities, indicated a need for a change to the fee schedule in Section 18.1-64(a). On the water meter size for all other facilities (Item C) the "—" (dash) should be replaced with "5/8" in both places.

By consensus the Board directed that proposed Ordinance No. 02-6(R) be advertised for a July 16 public hearing.

CLOSED MEETING. At 7:10 p.m. Mr. Zaremba moved that the Board convene in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to the performance of

an appointee to a York County Board or Commission; and Section 2.2-3711(a)(5) to discuss a prospective business or industry where no previous announcement has been made.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Burgett, Shepperd, Wiggins
Nay: (0)

Meeting Reconvened. At 7:55 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM
OF INFORMATION ACT REGARDING MEETING IN CLOSED SES-
SION

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 11th day of June, 2002, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Noll, Burgett, Shepperd, Zaremba, Wiggins
Nay: (0)

Meeting Adjourned. At 7:57 p.m. Mrs. Noll moved that the meeting be adjourned sine die.

On roll call the vote was:

Yea: (5) Burgett, Shepperd, Zaremba, Noll, Wiggins
Nay: (0)

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June 11, 2002

James O. McReynolds, Clerk
York County Board of Supervisors

Donald E. Wiggins, Chairman
York County Board of Supervisors